



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2017 Biennium

Bill #	HB0516	Title:	Revise petition for DNA testing laws
---------------	--------	---------------	--------------------------------------

Primary Sponsor:	MacDonald, Margaret (Margie)	Status:	As Introduced
-------------------------	------------------------------	----------------	---------------

- | | | |
|---|--|--|
| <input type="checkbox"/> Significant Local Gov Impact | <input type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts | <input type="checkbox"/> Dedicated Revenue Form Attached |

FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
Expenditures:				
General Fund		----- Unknown -----		
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Description of fiscal impact: HB 516 expands the options for individuals to obtain DNA testing through post-conviction petition. Implementation of HB 516 will impact operations of the Department of Justice (DOJ), however the DOJ is unable to quantify the fiscal impact.

FISCAL ANALYSIS

Assumptions:

1. The impact on attorney workload due to the revised standards of review related to the changes in "legal innocence" in 46-21-110(5)(d), MCA, in HB 516 will affect the finality of judgments and cause increased claims in cases involving DNA. The increased workload on county attorneys and the Prosecution Services Bureau is not able to be quantified.
2. The DOJ is unable to quantify the amount of cases and additional samples that would be submitted to the Forensic Science Laboratory or the scope of evidence in said cases, and is therefore unable to quantify the fiscal impact. The Forensic Science Laboratory is currently working at capacity and the additional casework due to HB 516 will require additional FTE.
3. On average, standard forensic biology cases including serology and DNA testing, are estimated to cost about \$1,500. On average, there are 4-5 items submitted for serology testing that result in 4-5 samples on

which DNA testing is performed. The number of samples submitted for any particular case range from 1 to over 50. The number will depend on each specific case.

Sponsor's Initials

Date

Budget Director's Initials

Date